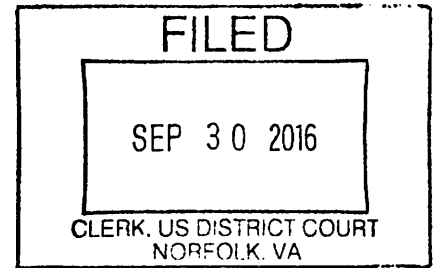


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



THOMAS A. NORDBROK,
Plaintiff,

v.

Civil No. 2:15cv159

CAROLYN W. COLVIN,
Acting Commissioner of
Social Security,
Defendant.

FINAL ORDER

Plaintiff brought this action brought this action under 42 U.S.C. §§ 1383(c)(3) and 405(g) seeking judicial review of the decision of the Commissioner of the Social Security Administration (“SSA” or “Defendant”) denying his claim for disability benefits. ECF No. 1. By order filed April 4, 2016, this action was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. §§636(b)(1)(B) and(C), and Rule 72(b) of the Federal Rules of Civil Procedure.

In the motion presently before the Court, Defendant requests that Mr. Nordbrok’s claim be dismissed pursuant to Federal Rule of Civil Procedure 41(b), which provides that a defendant may move for an involuntary dismissal when a plaintiff fails to prosecute or comply with a court order. Fed. R. Civ. P. 41(b). Mr. Nordbrok was ordered to file a motion for summary judgment on or before June 9, 2016, but failed to do so. He was then given notice that Defendant had moved for dismissal of the action because of his failure to file his motion for summary judgment. Mr. Nordbrok failed to file a Response and nothing substantive with the Court since his Change of Address notification. Plaintiff has failed to comply with the orders of this Court, and otherwise failed to prosecute the case.

In a Report and Recommendation (“R&R”) filed August 29, 2016, the Magistrate Judge recommended that the Defendant’s Motion to Dismiss be **GRANTED** and the instant action be **DISMISSED** pursuant to Federal Rule of Civil Procedure 41(b). *Id.* at 3.


By copy of the R&R, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen days from the date the R&R was mailed, pursuant to Rule 6(a) of the Federal Rules of Civil Procedure. The time for filing written objections has passed, and neither party has filed objections. As indicated in the R&R, “failure to file timely specific written objections to the . . . findings and recommendations [set forth in the R&R] will result in a waiver of the right to appeal from a judgment of this Court based on such findings and recommendations.” *Id.* at 3-4.

This Court has reviewed the R&R (ECF No. 29) and hereby **ADOPTS** and **APPROVES** in full the findings and recommendations set forth therein. Accordingly, it is hereby **ORDERED** that the Commissioner’s Motion for to Dismiss (ECF No. 25) is **GRANTED**. This action is **DISMISSED** pursuant to Federal Rule of Civil Procedure 41(b). Judgment shall be entered in favor of the Commissioner.

The Clerk is **REQUESTED** to send a copy of this Final Order to all counsel of record.

IT IS SO ORDERED.

Sept 30, 2016
Norfolk, Virginia



Arenda L. Wright Allen
United States District Judge